

## REMARKS

Claims 38-42, 45 and 53-58 are pending in the application. The Examiner has rejected claims 38-41, 45, and 56 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0014521 to Elson et al. ("Elson") in view of U.S. Patent Publication No. 2003/0140090 to Rezvani et al. ("Rezvani"). The Examiner has rejected claim 42 under 35 U.S.C. 103(a) as being unpatentable over Elson and Rezvani as applied to claims 38 and 46, and further in view of U.S. Patent No. 6,192,422 to Daines et al. ("Daines"). The Examiner has rejected claims 53-55 under 35 U.S.C. 103(a) as being unpatentable over Elson and Rezvani as applied to claims 38 and 45, and further in view of U.S. Patent Application Publication No. 2002/0108108 to Akaiwa et al. ("Akaiwa"). The Examiner has rejected claims 57 and 58 under 35 U.S.C. 103(a) as being unpatentable over Elson and Rezvani as applied to claims 38 and 45, and further in view of U.S. Patent Application Publication No. 2002/0069410 to Atmakuri et al. ("Atmakuri").

Applicant has amended independent claim 38 to more clearly distinguish the claimed invention from the cited prior art. Applicant has cancelled dependent claim 39 and amended dependent claim 40. For the reasons set forth below, applicant believes that independent claim 38, as amended, and dependent claims 40-42, 45 and 53-58 are in condition for allowance, and respectfully requests that they be allowed.

### Examiner's Rejection of Independent Claim 38 under 35 U.S.C. §103(a)

The Examiner has rejected independent claim 38 under 35 U.S.C. §103(a). The Examiner states:

4. As to Claim 38, Elson discloses an apparatus and method for providing universal web access functionality to one or more electronic devices comprising:

a first serial port configured to transmit remote control commands over a first serial link to a second serial port of a first remotely controllable non-web enabled electronic device (Elson; Figures 30-32, paragraphs 251, 253, 259; serial ports communicating with controllable electronic devices such as cell phones, GPS, remote platform, etc; GPS

devices and OBD devices were traditionally known to be non-web enabled devices), said first remotely controllable non-web enabled electronic device configured to be controllable by remote control commands received at said second serial port from a first remote control (Elson; paragraphs 141, 145, 147, 218-219; resource controlled remotely by requests from remote control devices such as a PDA), said first serial port further configured to receive status information from said first remotely controllable non-web enabled electronic device over said first serial link (Elson; Figure 11, paragraphs 145, 147; resource status);

a third serial port configured to receive remote control commands for remotely controlling said first remotely controllable non-web enabled electronic device over a second serial link from a fourth serial port of said first remote control (Elson; Figure 30-32, paragraphs 141, 145, 147, 218-219; ports communicating with remote control devices such as a PDA);

a pass through service configured to define a bi-directional path between said first serial port and said third serial port to enable the transmission of said remote control commands received over said serial link from said first remote control at said third serial port through said first serial port over said first serial link to said first remotely controllable non-web enabled electronic device for controlling said first remotely controllable non-web enabled electronic device without requiring any re-programming of said first remote control or said first remotely controllable non-web enabled electronic device (Elson; Figures 30-32, paragraphs 141, 145, 147, 218-219, and 227; passing control signals between PDA and resource);

Elson does not explicitly disclose a web server configured to serve a web page providing a user interface for remotely controlling said first remotely controllable non-web enabled electronic device by sending remote control commands from said web accessible remote control apparatus through said first serial port over said first serial link to first remotely controllable non- web enabled electronic device, however Rezvani discloses a web server configured to serve a web page providing a user interface for remotely controlling said first remotely controllable non-web enabled electronic device by sending remote control commands from said web accessible remote control apparatus through said first serial port over said first serial link to first remotely controllable non-web enabled electronic device (Rezvani; Figures 1-3, 11-12; paragraphs 105-106; web server with web page to provide user interface to control resources).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a contention manager, as disclosed by Elson, to include a web server providing a user interface, as disclosed

by Rezvani, in order to provide remote web access and control of devices to a user.

Elson Does Not Disclose a Contention Manager Providing Control to the First and Third Serial Ports to a Pass Through Service as Claimed

Applicant has amended independent claim 38 to more particularly point out what applicant regards as the invention. No new matter has been added. In particular, applicant has amended independent claim 38 to more clearly specify that the remote control apparatus of the invention comprises a contention manager that gives control of the first and third serial ports for a first period of time to a pass-through service that creates a bi-directional path between the first and third serial port that passes remote control commands received at the third serial port to the first serial port and status information received at the first serial port to the third serial port during the first period of time. Support for the amendment is found, for example, in Figure 16 and in the corresponding description on pages 26 to 28 of the specification. A web accessible remote control apparatus as claimed that comprises a contention manager that gives control to the first and third serial ports to a pass through service as claimed in amended claim 38 is not disclosed or suggested by the prior art of record, alone or in combination.

The Examiner contends that the claimed serial ports, serial links, and pass-though service are disclosed by Elson in Figures 11 and 30-32 and in paragraphs 141, 145, 147, 218-219, 227, 251, 253 and 259. Figure 30 of Elson is reproduced below:

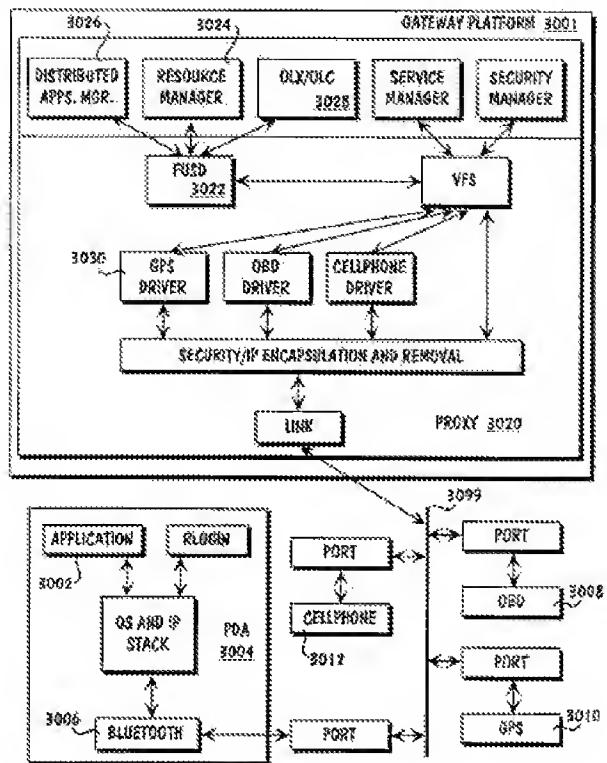
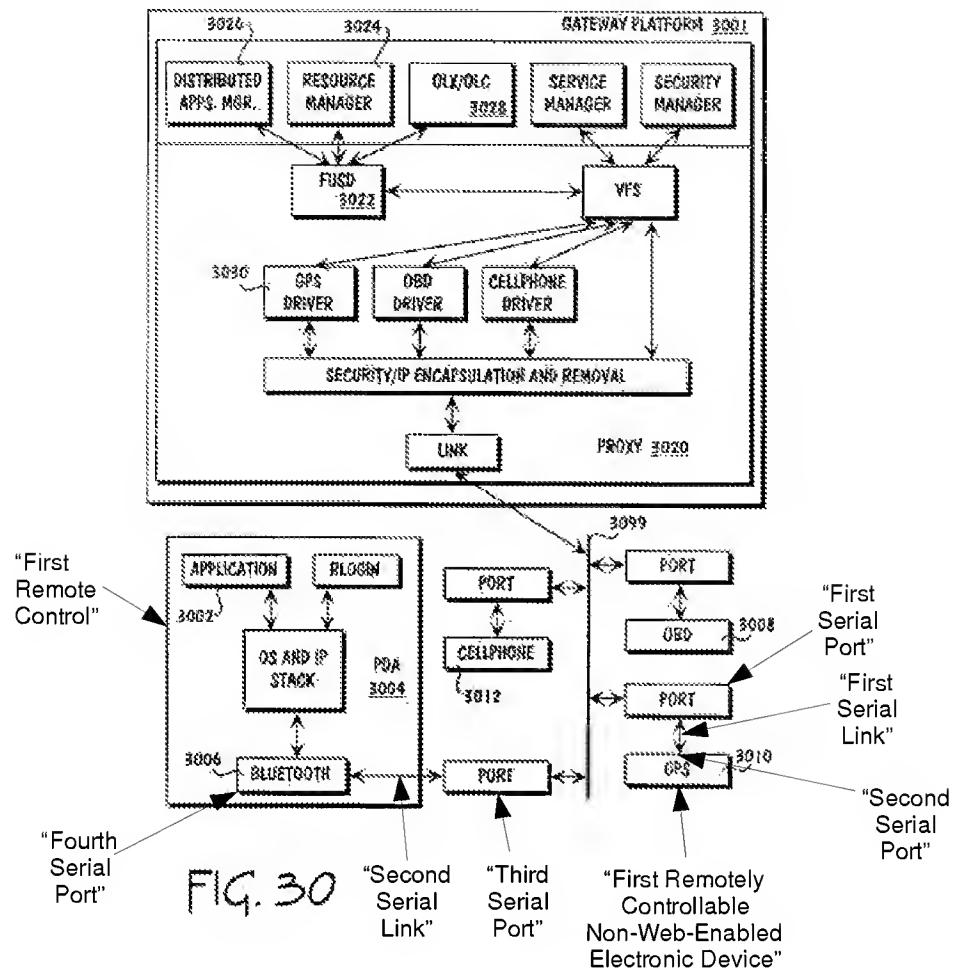


FIG. 30

As applicant understands the Examiner, the Examiner contends that GPS 3010 in Figure 30 is an example of a “remotely controllable non-web enabled electronic device” as claimed, that the “port” connected to GPS 3010 in Figure 30 is an example of the “first serial port” as claimed, that GPS 3010 includes the “second serial port” as claimed, (although no such second serial port is shown in the figures), and that the arrow between the “port” and GPS 3010 is a “first serial link” as claimed. Further, the Examiner contends that PDA 3004 is a “first remote control” as claimed, that the “Port” connected to Bluetooth port 3006 is the “third serial port” as claimed, that Bluetooth port 3006 is the “fourth serial port” as claimed, and that the link between the “third serial port” and Bluetooth port 3006 is the “second serial link” as claimed. Figure 30 with labels added showing the Examiner’s identification of the above-mentioned claim elements of claim 38 to the items shown in Figure 30 of Elson is shown below:



Independent claim 38 requires, *inter alia*, that the claimed web-accessible remote control apparatus comprises a contention manager that provides control of the first and third serial ports during a first period of time to a “pass through service” that is configured to pass remote control commands received at the third serial port through to the first serial port and to pass status information from the first serial port through to the third serial port during the first period of time. No such contention manager and pass through service as claimed are disclosed in Elson.

As pointed out by the Examiner, Elson discloses resource managers that manage competing requests for resources (including communications ports) from different applications. See, e.g. paragraphs 114-116 of Elson. Elson does not, however, disclose any pass through service that is given control of the first and third serial ports for a first

period of time to create a bi-directional path between the first and third serial ports for passing remote control commands and status information between the first and third serial ports during the first period of time, as claimed in independent claim 38 as amended. That is, Elson does not disclose a contention manager that provides control of the port connected to PDA 3004 and the port connected to GPS 3010 to a pass through service for a first period of time, as claimed.

Accordingly, Elson does not disclose the contention manager and pass through service claimed in independent claim 38, as amended. Nor are such contention manager and pass through service disclosed in any other prior art of record. Independent claim 38, as amended, is therefore patentably distinct over the prior art of record, and applicant respectfully requests that independent claim 38, as amended, be allowed.

The Combination of the Web Server of Rezvani with Elson Does Not Result in the Web Server Claimed in Independent Claim 38, as Amended

Claim 38, as amended, specifies that the claimed web-accessible remote control apparatus comprises a web server configured to serve a web page providing a user interface for remotely controlling the first remotely-controllable non-web enabled electronic device by sending remote control commands through the first serial port over the first serial link to the non-web enabled electronic device. The Examiner concedes that Elson does not disclose a web server as claimed, but states that Rezvani discloses a web server that provides an interface for remotely controlling a non-web enabled electronic device, that it would be obvious to combine the web server of Rezvani with Elson, and the result would be the web server as claimed in independent claim 38, as amended.

Rezvani discloses a web server 46 that serves web pages 47 that is located at a remote site from the “monitoring module” 28 that interfaces with controllable electronic devices as shown, for example, in Figures 1 - 2 of Rezvani. Figure 3 of Rezvani shows a user interface 58 of monitoring module 28. However, as explained in the accompanying description of in the specification of Rezvani, user interface 58 is not served by a web

server on monitoring module 28, but by the web server 46 located remotely from monitoring module 28. See, e.g., paragraph [0062] of Rezvani, which states:

[0062] A virtual representation of each device 32, 32a, 32b, 32c, 32d may be stored as a record 94, 94a, 94b, 94c, 94d in the database of database server 48 of remote site 14. Each record may contain an entry for each resource and its associated components which make up the device. For example, record 94 for VCR device 32 may contain an entry 90, 91, 92 for each resource 60, 62, and 64, respectively, and an entry 90a, 90b, 90c, 90d, 91a, 91b, 92a, and 92b for each component 72, 74, 76, 78, 82, 83, 80, and 81, respectively. **In addition, a web page 47 may be generated by web server 46** by extracting the associated record for that device from database server 48 and creating a graphical, textual, tactile, aural, or other suitable user interface representation of that device **that the user may access via, for example, Internet browser 26.**

Rezvani thus discloses and teaches a web server serving a web page for remotely controlling an electronic device that is located at a remote location from the remotely controlling apparatus. The combination of the web server with the system of Elson would not result in a web accessible remote control apparatus comprising the web server as claimed in independent claim 38, as amended. Accordingly, independent claim 38, as amended, is patentably distinct from the prior art of record for this reason as well, and applicant respectfully requests that independent claim 38, as amended, be allowed.

**Dependent Claims 40-42, 45 and 53-58**

Dependent claims 40-42, 45 and 53-58 are dependent on independent claim 38 and include all of the limitations of claim 38 as well as additional limitations not disclosed by the prior art of record, either individually or collectively. Accordingly, Applicant believes that claims 40-42, 45 and 53-58 are allowable for the same reasons set forth above for independent claim 38, as well as for the additional reason of including additional limitations not disclosed by the prior art of record. Applicant therefore respectfully requests that claims 40-42, 45 and 53-58 be allowed.

**CONCLUSION**

For the above reasons, applicant believes that amended claims 38, 40-42, 45 and 53-58 are patentably distinct from the prior art of record. Accordingly, applicant respectfully requests that they be allowed.

Respectfully submitted,

THE HECKER LAW GROUP



Frank M. Weyer, Esq.  
Reg. No. 33,050  
Attorney for Applicant

Date: April 7, 2010

THE HECKER LAW GROUP  
1925 Century Park East  
Suite 2300  
Los Angeles, California 90067  
(310) 286-0377  
(310) 286-0488 Facsimile  
[www.hh.com](http://www.hh.com)